App. F. IX-4

Previous References 1929-30 (P.P.)

File No. 92/24

Serial Nos. 1405

Later References

P. 18

General and Revenue Secretariat.

Serial Nos. 1405

Part B for June 1930

SUBJECT

Negotiations between His Majesty's Government and the Soviet Government in regard to Claims etc.

Postponed MAD 15/4

R. S. 11]

1929-30

GENERAL AND REVENUE SECRETARIAT.

(CD)

NOTES.

PP File No. 92-29

FILE HEADING.

Negotiations between His Majesty's Govt & the Soviet Govt in regard to claims etc

From

The Secy to the Resident in Mysore

No. 2930 / 7530 Dated 2-4-30 Received

Diary No.	3607	Enclos. /	Spare Copies.	Serial No.

BRIEF ABSTRACT OF LETTER.

Forwards copy of Articles 6 & 10 of Chapter III of the Anglo Soviet treaty signed on 8-8-24 & requests that any claimants who may have claims against the Soviet Govt should register their claims with the Russian Claims Dept of the Board of Trade,

NOTES AND ORDERS. London.

Submit with a draft

(Sd)
M-SR
1/4

(2) Forms (Gd) D.C.S
1/4

NOTES—First Sheet.

(2

3607 41/49 41/50

General and Revenue Secretariat | PP File No. 92 of 1939 | App. -2]

Serial No.	
2	To the Secy to the Resident No PO2 1116 D 12.4.30 Inquire if there is any objection to the treaty referred to being published
3	From the Secy to the Resident No 4377/75-30 D 29.5.30 States (in reply to 2) that there is no objection to the publication of Articles 8 to 10 of Chapter III of the treaty
4	From the Secy to the Resident No 4378/75-30 D 29.5.30 In contn of 1 states that the claims of holders of currency notes should be sent through the Inspr Govt to the Residency where a record of them will be kept until further orders are rcvd from the Govt of India (3) Draft Notification sub K 31/5 CPR

Issued
31/5/30

Note—Contn. Sheet

WD 02328—GPB—[illegible]—22-4-30

4150

(3)

App. F. III—2]

General and Revenue Secretariat

pp File No. 92 of 193 9.

Serial No.	
5	The Compiler Mysore Gazette Press Communique No 65 T. D. 9-6-30 Regarding the Articles 6 & 10 of the Chapter III of the Anglo-Soviet Treaty on general interchange

B

Note—Contn. Sheet

WD 02328—GPB—10,000—22-4-30

PP

All communications should be addressed to the Secretary to the Resident in Mysore Bangalore, by designation and not by name.

No. 2930 Enc. 1
75 of 1930.

PP 92-29-1

Pol. 1431

CB 3607

FROM

Major G. Loch,

SECRETARY TO THE RESIDENT IN ~~MYSORE~~,

CHIEF SECRETARY. PP. 9 APR. 1930

To

The General Secretary to the Government of
His Highness the Maharaja of Mysore.

Dated Bangalore, 22 April 192/30.

Subject.

Negotiations between His Majesty's Government and the Soviet Government in regard to claims etc.,

SIR,

I am directed to forward a copy of Articles 6 to 10 of Chapter III of the Anglo-Soviet Treaty signed on 8th August, 1924, and to request that any claimants, who may have claims against the Soviet Government under the terms of Article 10, should be instructed to register their claims with the Russian Claims Department of the Board of Trade, London, if they have not already done so.

Encl with a draft

Issued 11/4/30

I have the honour to be,
Sir,
Your most obedient servant,

for SECRETARY TO THE RESIDENT.

vdv.

ANGLO-SOVIET TREATY SIGNED ON 8TH AUGUST 1924.

Chapter III. CLAIMS AND LOAN.

Article.6.

In pursuance of the Declaration annexed to the Trade Agreement of the 16th March, 1921, the Government of the Union of Soviet Socialist Republics declares that by way of exception to the decree of the 28th January, 1918 (concerning the annulment of the debts of the former Imperial and Provisional Governments) it will satisfy, in the conditions prescribed in the present Treaty, the claims of British holders of loans issued or taken over or guaranteed by the former Imperial Russian Government, or by the municipalities of towns in the territory now included in the Union, payable in foreign (non-Russian) currency.

The Government of His Britannic Majesty recognises that the financial and economic position of the Union renders impracticable the full satisfaction of the claims referred to in the proceeding paragraphs of this article.

The Government of the Union agrees to meet the claims referred to in the first paragraph of this article in respect of holdings by British subjects or companies other than holdings which were acquired by purphase since the 16th March, 1921, and were in other than British ownership on that date.

After negotiation between the parties concerned, the terms on which the claims referred to in the first paragraph of this article shall be satisfied will form the subject of an agreement with His Britannic Majesty's Government, which will be included in the treaty referred to in Article 11, provided that His Britannic Majesty's Government is satisfied that such terms have been accepted by the holders of not less than one half of the capital values of British holdings in the loans referred to in this article.

Article 7.

All questions connected with the claims of the Government of Union of Soviet Socialist Republics against the

Government

Government of His Britannic Majesty, or with the claims of the Government of His Britannic Majesty against the Government of the Union, arising out of events which took place between the 4th August 1914, and the 1st February, 1924, are reserved for discussion at a later date. This provision includes claims in respect of

(a) War loans advanced by Government of His Britannic Majesty to the former Russian Imperial or Provisional Governments

(b) Gold belonging to the former Russian Imperial or Provisional Governments, and handed over to the Government of His Britannic Majesty by either of those Governments;

(c) Russian gold handed over to Germany under the Supplementary Agreement to the Treaty of Brest-Litovsk;

(d) Sums owed by the former Russian Imperial or Provisional Governments to British Government Departments, or vice versa;

(e) The claims advanced by the Government of the Union on the Ground of intervention between the 7th November, 1917, and the 16th March, 1921;

and also any adjustments made or to be made in the accounts relating to such claims on either side.

There shall similarly be reserved all questions connected with claims by the nationals of either party against the other party, in respect of loss or damage suffered in the territory of the party whose national the claimant is, and resulting from warlike operations or hostile measures during the above-mentioned period.

Article 8.

Claims by nationals (including juridical persons) of the one party against the other party in respect of loss or injury due to events which took place between the 1st August 1914, and the coming into force of the present Treaty other than (1) claims covered by other articles of the present Treaty, and (2) claims arising out of normal trading relations between the Government of the Russian Socialist Federative Soviet Republic or Governments allied to or federated with it, or its agents, and British nationals, or between the Government of His Britannic Majesty and citizens of the Union of Soviet Socialist

Republics

Republics, shall, in view of the admitted preponderance of the claims of British nationals, be finally settled as between the contracting parties by the payment of a lump sum by the Government of the Union to the Government of His Britannic Majesty.

The distribution of this sum shall be effected by the Government of His Britannic Majesty in such manner as they shall consider just. The Government of the Union undertakes to furnish the Government of His Britannic Majesty with any relevant papers or information in its possession which may facilitate the just distribution of such sum.

Article 9.

Each of the contracting parties shall appoint three properly qualified persons to examine the claims of which the settlement is to be effected by the payment of the lump sum ~~provi~~ provided for in article 8. These six persons shall make a joint examination of the claims, and shall report to the two contracting parties the amount at which they consider the lump sum should be fixed. If they are unable to agree as to the amount of the lump sum, they shall present separate reports. They will arrange their own procedure, and shall, in particular, be entitled by agreement between themselves to refer the examination of any particular category of claims to two of their number.

Each of the contracting parties shall defray the remuneration and expenses of the persons appointed by it, together with one-half of the expenses incurred jointly.

Article 10.

Being desirous of re-establishing the economic co-operation between their two countries, the Government of His Britannic Majesty and the Government of the Union of Soviet Socialist Republics agree as follows:-

The Government of the Union will, by way of exception to the decrees nationalising industrial businesses and land,

negotiate

negotiate with British nationals (including juridical in respect of industrial businesses or concessions which have been nationalised or cancelled by it, in order to arrange for the grant of just compensation for such claims.

Furthermore a Commission shall be appointed to examine the validity and ascertain the amount of the claims. Each of the contracting parties agrees to assist the Commission so far as possible with regard to supplying or collecting papers or information required for the proper accomplishment of its task.

If the members of the Commission are unable to agree on a joint report in respect of any particular property, they may present separate reports.

In cases where the Government of the Union concludes an agreement with an individual claimant, the Commission shall be informed of such agreement in order that the claim in question may be withdrawn from the competence of the Commission.

The Commission shall consist of six persons possessing the necessary qualifications for their task, three being appointed by the Government of His Britannic Majesty and three by the Government of the Union.

The Commission shall settle its own procedure, which shall be approved by the two Governments. Each of the contracting parties shall defray the remuneration and pay the expenses of the persons appointed by it, together with one half of the expenses incurred jointly.

"COPY"

Assistant Secretary
to the Hon'ble the Resident in Mysore.

Appendix F G—1

Section

File No. 42-29

Serial No. 7

Diary No. of letter replied to.

General and Revenue Secretariat

To

the

Resident

Date of issue

of enclosures

Copied by

Examined by

being published so that
the claimants, if any
may come forward
with their claims
& have

Sec
7/9/30

For the Secy

P.C. 1116 & 12.4.30
PP 92-29-2

11th April 1930xx

Major G. Loch, I.A.,

Secretary to the Hon'ble the Resident in Mysore, Bangalore.

With reference to your letter No.2930/75-1930 dated the 2nd April 1930, on the subject of negotiations between His Majesty's Government and the Soviet Government in regard to claims &c, I am directed to request you to kindly intimate whether there is any objection to the Treaty referred to being published so that the claimants, if any, may come forward with their claims.

I have the honor to be,

Sir,

Your most obedient servant,

for CHIEF SECRETARY TO GOVERNMENT.

B.K.M.

Vol. 1674

CB 4149

No. 4377
75-1930.

PP 92-29-3

From

K. P. Dewar, Esq.,

Offg. SECRETARY TO THE RESIDENT IN MYSORE.

To

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore.

Bangalore, the 27th May, 1930.

Negotiations between His Majesty's Government and the Soviet Government in regard to claims.

Sir,

In reply to your letter No.Pol.1116/P.P.92-29-2, dated the 11th April, 1930, I am directed to inform you that there is no objection to the publication of Articles 6 to 10 of Chapter III of the Anglo-Soviet Treaty signed on 8th August, 1924.

I have the honour to be,
Sir,
Your most obedient servant,

K. P. Dewar

Offg. Secretary to the Resident.

ASB/27.5.

Pol. 1673

No. 4378
75-1930

CB.4150

From

K. P. Dewar, Esquire,

Offg. SECRETARY TO THE RESIDENT IN MYSORE.

PP 992-29-4

To

The Chief Secretary to the Government of

His Highness the Maharaja of Mysore.

Bangalore, the 29th May, 1930

Negotiations between His Majesty's Government and the Soviet Government in regard to claims, etc.

Sir,

In continuation of my letter No.2930, dated the 2nd April, 1930, I am directed to state that His Majesty's Govern ment have since decided that claims from holders of rouble notes in India should not be submitted to the Russian Claims Department of the Board of Trade but that a record of them should be kept in India pending a decision whether such claims are to be entertained or not.

2. I am accordingly to request that steps may kindly be taken to inform holders of rouble notes who have not already forwarded their claims to the Board of Trade that they should submit them through the Government of Mysore to this Residency, where a record of them will be maintained till further orders are received from the Government of India.

I have the honour to be,
Sir,
Your most obedient servant,

K. P. Dewar

Offg SECRETARY TO THE RESIDENT.

ASB/27.5

Appendix F G—1

SUBJECT.....

.....

.....

Diary No. of letter replied to..... 4149 / 415 / 0

General and Revenue Secretariat

RB. 1

192

Date of issue..... 7/6/30

Signed by..... W. A. C. Robertson

List of enclosures.....

Copied by.....

Examined by.....

Section P1

File No. 92-29

Serial No. 5

LJ 80

To Press Commun

.....

The accompanying Articles 6 to 10 of Chapter III of the Anglo-Soviet Treaty signed on the 8th August 1924 are published for general information

Claimants who have claims against the Soviet Government under the terms of Article 10 have not already forwarded their claims

over

To the Russian Claims

~~Board of~~ Dept of the

Board of Trade, London,

~~with further order~~ with

Should submit them

to the Hon'ble the

Resident in Mysore

through the Chief Secy to the

Govt of Mysore

[Here enter the

Articles of the

Treaty]

By order

dated 31/5/80.

For Chief Secy

To

The Compiler Mysore Gazette

for publication

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

General and Revenue Secretariat.

Dated, Bangalore the 9th June 1930.

No. [illegible]

PRESS COMMUNIQUE.

The accompanying Articles 6 to 10 of Chapter III of the Anglo-Soviet Treaty signed on the 8th August 1924 are published for general information.

Claimants who have claims against the Soviet Government under the terms of Article 10, and have not already orwarded their claims to the Russian Claims Department of the Board of Trade, London, should submit them to the Hon'ble the Resident in Mysore through the Chief Secretary to the Government of Mysore:

ANGLO-SOVIET TREATY SIGNED ON 'TH AUGUST 1924.

Chapter III. CLAIMS AND LOAN.

Article 6.

In pursuance of the Declaration annexed to the Trade Agreement of the 16th March, 1921, the Department of the Union of Soviet Socialist Republics declares that by way of exception to the decree of the 28th January 1918 (concerning the annulment of the debts of the former Imperial and Provisional Governments) it will satisfy, in the conditions prescribed in the present Treaty, the claims of the British holders of loans issued or taken over or guaranteed by the former Imperial Russian Government, or by the Municipalities of towns in the territory now included in the Union, payable in foreign (non-Russian)currency.

The Government of His Britannic Majesty recognises that the financial and economic position of the Union renders impracticable the full satisfaction of the claims referred to in the proceedings paragraphs of this article.

The Government of the Union agrees to meet the claims referred to in the first paragraph of this article in respect of holdings by British subjects or companies other than holdings

which were acquired by purchase since the 16th March, 1921, and were in other than British ownership on that date.

After negotiation between the parties concerned the terms on which the claims referred to in the first paragraph of this article shall be satisfied will form the subject of an agreement with His Britannic Majesty's Government, which will be included in the treaty referred to in Article II, provided that His Britannic Majesty's Government is satisfied that such terms have been accepted by the holders of not less than one half of the capital values of British holdings in the loans referred to in this article.

Article 7.

All questions connected with the claims of the Government of Union of Soviet Socialist Republics against the Government of His Britinnic Majesty, or with the claims of the Government of His Britannic Majesty against the Government of the Union, arising out of events which took place between the 4th August 1914, and the first February 1924, are reserved for discussion at a later date. This provision includes claims in respect of

(a) War Loans advanced by Government of His Britannic Majesty to the former Russian Imperial or Provisional Governments.

(b) Gold belonging to the former Russian Imperial or Provisional Governments, and handed over to the Government of His Britannic Majesty by either of those Governments;

(c) Russian gold handed over to Germany under the supplementary agreement to the Treaty of Brest-Litovsk;

(d) Sums owed by the former Russian Imperial or Provisional Governments to British Government Departments or vice versa;

(e) The claims advanced by the Government of the Union on the ground of intervention between the 7th November, 1917, and the 16th March, 1921.

and also any adjustments made or to be made in the accounts relating to such claims on either side.

There shall similarly be reserved all questions connected with claims by the nationals of either party against the other party, in respect of loss or damage suferred in the territory

territory of the party whose national the claimant is and resulting from warlike operations or hostile measures during the above mentioned period.

Article 8.

Claims by nationals (including judicial persons) of the one party against the other party in respect of loss or injury due to events which took place between the 1st August 1914 and the coming into force of the present Treaty other than (1) claims covered by other articles of the present Treaty, and (2) claims arising out of normal trading relations between the Government of the Russian Socialist Federative Soviet Republic or Governments allied to or federated with it, or its agents, and British nationals, or between the Government of His Britannic Majesty and citizens of the Union of Soviet Socialist Republics shall, in view of the admitted preponderance of the claims of British nationals, be finally settled as between the contracting parties by the payment of a lumpsum by the Government of the Union to the Government of His Britannic Majesty.

The distribution of this sum shall be effected by the Government of His Britannic Majesty in such manner as they shall consider just. The Government of the Union undertakes to furnish the Government of His Britannic Majesty with any relevant papers or information in its possession which may facilitate the just distribution of such sum.

Article 9.

Each of the contracting parties shall appoint three properly qualified persons to examine the claims of which the settlement is to be effected by the payment of the lump sum provided for in Article 8. These six persons shall make a joint examination of the claims, and shall report to the two contracting parties the amount at which they consider the lump sum should be fixed. If they are unable to agree as to the amount of the lump sum, they shall present separate reports. They will arrange their own procedure, and shall, in particular

particular, be entitled by agreement between themselves to refer the examination of any particular category of claims to two of their number.

Each of the contracting parties shall defray the remuneration and expenses of the persons appointed by it, together with one-half the expenses incurred jointly.

Article 10.

Being desirous of re-establishing the economic co-operation between their two countries, the Government of His Britannic Majesty and the Government of the Union of Soviet Socialist Republics Agree as follows:-

The Government of the Union will, by way of exception to the decrees nationalising industrial business and land, negotiate with British nationals (including juridical persons) in respect of industrial business or concessions which have been nationalised or cancelled by it, in order to arrange for the grant of just compensation for such claims.

Furthermore a commission shall be appointed to examine the validity and ascertain the amount of the claims. Each of the contracting parties agrees to assist the Commission so far as possible with regard to supplying or collecting papers or information required for the proper accomplishment of its task.

If the members of the commission are unable to agree on a joint report in respect of any particular property, they may present separate reports.

In cases where the Government of the Union concludes an agreement with an individual claimant, the commission shall be informed of such agreement in order that the claim in question may be withdrawn from the competence of the Commission

The Commission shall consist of six persons possessing the necessary qualifications for their task, three being appointed by the Government of His Britannic Majesty and three by the Government of the Union

The Commission shall settle its own procedure, which shall be approved by the two Governments. Each of the contracting parties shall defray the remuneration and pay the expenses of the persons appointed by it, together with one half of the expenses incurred jointly.

- - - - - - - - -

By Order,

Sd/- Subbarayappa

for Chief Secretary to Government

To

The Compiler, Mysore Gazette, for publication.

Agn/7.